

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-9 are pending in this application. Claims 1, 7, 8, and 9 are hereby amended. Claims 1, 7 and 9 are independent. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 14-15. No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claim 2 was rejected under 35 U.S.C. §112, first paragraph and claims 1-9 were rejected under 35 U.S.C. §112, second paragraph.

With regard to claim 2, the Office Action asserts that the Specification fails to teach how the user notifies the party communication terminal which other communications terminal to send messages to. Applicant respectfully submits that the Specification need not recite input means for a user to specify recipient, since this feature was well known in the art at the relevant time. Indeed, the Office Action points out that a GUI may be used for inputting such information. The GUI for instance, may be displayed upon selecting the party or the attorney

buttons, which GUI may include a list of parties or attorneys for the user to select as a recipient party or attorney, as the case may be. Similarly, the recipient information may previously be associated with the buttons so as not to require the GUI.

With regard to claims 1-9, claims 1, 7, and 9 are hereby amended, thereby obviating these rejections.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3, 5 and 7-9 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,640,301 to Ng (hereinafter, merely “Ng”) in view of U.S. Patent No. 6,640,301 to Abe et al. (hereinafter, merely “Abe”). Claims 4 and 6 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ng and Abe in view of U.S. Patent No. 6,327,656 to Zabetian (hereinafter, merely “Zabetian”).

Independent claim 1, as amended, recites, *inter alia*:

“...the electronic mail is transmitted from a party communication terminal to at least one of an attorney communication terminal and another of the party communication terminals such that the electronic mail is routed to the communication contents certification apparatus and the communication contents certification apparatus obtains authentication information for the electronic mail, which comprises an identification and a password of a party sending the electronic mail, and stores the contents of the electronic mail, and the contents certification apparatus authenticates the electronic mail based on the identification and the password of the party sending the electronic mail, ..., and

the charging means perform charge processing to charge at least one of the parties for at least one of authenticating and certifying the contents of the electronic mail.” (emphasis added)

As understood by Applicant, Ng relates to certification and authentication of emails by an authentication service. The authentication service is integrated with an email web site that allows users to set up email accounts. Outgoing email from the email web site is routed

to the authentication service. A message identifier (ID) is generated and added to the message within markers. A random-number generator creates random pad characters that are added to the message before a checksum is generated. The email with the message ID in the markers but without the pad characters or checksum is sent to the recipients, along with instructions on how to authenticate the message. Others can authenticate a message by emailing it to the authentication service. The message ID is extracted from the markers and pad characters are again added to the message, and a new checksum generated. Authentication fails when the checksums do not match.

As understood by Applicant, Abe relates to an information system that allows a depositor to keep information, such as a death notice, will, etc., sealed until the depositor's death. The system provides e-mail services for the depositor to receive legal advice regarding the deposited information.

It is respectfully submitted that neither Ng nor Abe teach or suggest the above-identified features of amended claim 1. Specifically, Ng and Abe fail to teach or suggest a system for authenticating electronic mail based the identification and the password of the sending party, as recited in claim 1. As noted above, Ng authenticates messages based on a message identifier, randomly generated pad characters, and a generated checksum, which are not variables unique to the sending party as are the sending party's identification and password. Moreover, Ng and Abe fail to teach a system for charging at least one of the parties for authenticating and/or certifying the contents of the electronic mail as recited in claim 1; Ng merely discloses charging a fee to keep certification and verification message records beyond a certain period of time. (Col. 14, lines 23-26).

Therefore, Applicant respectfully submits that independent claim 1 is patentable over Ng and Abe.

Independent claims 7 and 9 are method and computer-readable medium claims that include the corresponding authentication and charging features discussed above and are believed patentable for similar reasons.

Applicant submits that nothing has been found in the cited portions of Zabetian that would provide the disclosure lacking in Ng and Abe.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

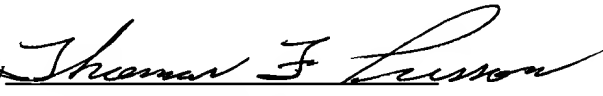
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800